



SHERMAN CRAIG
Chairman

TERRY MARTINO
Executive Director

DRAFT MINUTES
LGS Committee
November 10, 2016 Meeting
REB:ap

**Local Government Services
November 10, 2016**

The Local Government Services Committee convened at 1:55 p.m.

Local Government Services Committee Members Present:

Dan Wilt, Chair, William Thomas, Bradley Austin (ESD), Robert Stegemann (DEC), Barbara Rice

Other Members and Designees Present:

Sherman Craig, Chairman, Arthur Lussi, John Ernst, Sandi Allen (DOS), Karen Feldman

Local Government Review Board:

Frederick Monroe

Agency Staff Present:

Terry Martino, James Townsend, Kate-Lyn Knight, Kathy Regan, Shaun LaLonde, Paul Van Cott, Keith McKeever, and Annemarie Peer

Town of Lake George Approved Local Land Use Program Amendment (Robyn Burgess)

On a motion by Barbara Rice, seconded by Brad Austin the October 2016 draft minutes were unanimously approved.

Robyn Burgess began with a thank you to the Local Government Day Steering Committee for meeting in the morning to discuss the agenda for the Local Government Day Conference. She reported everything is on track.

Ms. Burgess said the Town of Lake George sought Agency approval to review and approve an amendment to its Local Land Use Program to adopt new local land use laws to address stormwater through two new codes: Chapter 147: Storm Sewer System Discharges, Activities and Connections and Chapter 148: Stormwater Management and Erosion and Sediment Control.

Ms. Burgess discussed the following review criteria: approved programs are required to be in accordance with the Land Use and Development Plan, compatible with the character description purposes, policies and objectives of the land use areas, compatible with plan map, reasonably apply the overall intensity guidelines, reasonably apply the compatible use lists, incorporate the shoreline restrictions, require review of class B projects including applying the development considerations, and contain adequate authority and provisions for administration and enforcement. Section 582.5 of the Rules and Regulations outlines which amendments need approval.

In addition, she explained that since the Development Considerations are part of the Land Use and Development Plan, amendments that address those considerations are subject to Agency review. The Development Considerations are found in 805 of the APA Act and address the factors which shall be evaluated when considering a project to determine if there will be any adverse impact on the natural, scenic, aesthetic, ecological wildlife, historic recreational or open space resources of the Park.

Ms. Burgess pointed out that several of the Agency's 37 Development Considerations are divided into five major categories. There are 14 specific development considerations listed in the APA Act that touch on aspects of or impacts to consider when dealing with stormwater.

Ms. Burgess gave a brief background on the Town of Lake George. Lake George has administered an Agency-approved Local Land Use Program (ALLUP) since 1978. The Town's zoning law underwent a complete repeal, replacement and approval in 2003 and the Town has been working on minor amendments since then.

In the Town of Lake George there are several entities that have some jurisdiction over stormwater concerns. They include DEC, the Lake George Park Commission, the Agency and the Town of Lake George.

Ms. Burgess said the purpose of Chapter 147 is to provide for the health, safety, and general welfare of the citizens of the Town of Lake George through regulation of non-storm water discharges to the municipal separate storm sewer system (otherwise known as MS4) to the maximum extent practicable as required by federal and state law.

She said if a municipality is designated as an MS4, they are required to enact a stormwater program that contains the following: six identified elements public education and outreach, public participation/involvement, illicit discharge detection and elimination, construction site runoff control, post-construction runoff control, and pollution prevention/good housekeeping.

Ms. Burgess described the purpose of Chapter 148 is to establish minimum stormwater management requirements and controls to protect and safeguard the general health, safety, and welfare of the public residing within the Town of Lake George by preserving and protecting the quality of the ground and surface waters.

Ms. Feldman asked for an example of non-stormwater discharge.

Shaun Lalonde responded, that it could be anything from sump-drains in the house to something that is not rain water.

Mr. Lussi asked if this is an example of when a basement is flooded and you are not supposed to put the floodwater into your sewer. Mr. Lalonde responded you are not supposed to hook your sump pump to a sewer unless in an emergency.

Mr. Lussi asked for examples. Mr. Lalonde responded Chapter 147 is less applicable to the Agency review and more for the Town to assess. He said the Agency is more concerned with Chapter 148 which is more site development.

Mr. Stegemann made a motion to approve the amendment. Ms. Rice seconded the motion. All were in favor.

Old Business

None

New Business

None

Mr. Wilt adjourned the meeting at 2:12 p.m.